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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,431	02/11/2002	Sch M. Ryu	DOMI/502US	4475
22031	7590	01/23/2007		
NICK A NICHOLS P O BOX 16399 SUGARLAND, TX 774966399			EXAMINER BASOM, BLAINE T	
			ART UNIT	PAPER NUMBER
			2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/073,431

Applicant(s)

RYU ET AL.

Examiner

Blaine Basom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Response to Arguments***

The Examiner acknowledges the Applicants' amendments to claims 1-5, and the Applicants' cancellation of claims 6 and 7. Regarding the pending claims, the Applicants argue that Chasen et al. (U.S. Patent No. 6,760,721) and Microsoft Office 97, cited in the previous Office Action, fail to teach selecting a descendant member, editing a decision attribute of the selected descendant member and automatically applying the edited decision attribute to direct descendants of the selected descendant member, as is now claimed. In response, the Examiner presents the U.S. Patent of Carter, III (U.S. Patent No. 5,878,400), which as shown below, teaches such steps. The Applicants' arguments have thus been considered, but are moot in view of the following new grounds of rejection, which are required in response to the Applicants' amendments.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The

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Specification of the present Application describes selecting a descendant member, editing a decision attribute of the selected descendant member and automatically applying the edited decision attribute to direct descendants of the selected descendant member (see e.g. page 3, lines 3-15). The Specification further suggests that such a decision attribute can be a markup percentage (see e.g. page 6, line 15 – column 7, line 4). While it is apparent that this markup percentage is an example of a decision attribute, and that the decision attribute is thus arbitrary, the specification does not explicitly disclose or suggest that such a decision attribute is a source of goods or services, a supplier's name, or a shipping carrier code, as is recited in claim 5.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,878,400, which is attributed to Carter, III (hereinafter referred to as “Carter”). In general, Carter describes a method for storing, maintaining, and determining pricing information for a plurality of products, which are available to a plurality of purchasing organizations (see e.g. column 3, line 5 – column 4, line 11). Carter discloses that this method entails organizing the available products within a “product group hierarchy” and the purchasing organizations within a separate purchasing organization hierarchy (see e.g. column 3, lines 21-46; column 6, lines 1-53;

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column 7, line 49 – column 8, line 34, and FIGS. 4A and 4B). Carter further suggests that these two hierarchies are maintained by a database (see e.g. column 10, lines 54-67; and column 11, lines 45-67). Such a database used to store information regarding the product group hierarchy and the purchasing organization hierarchy described by Carter is considered a hierarchical database like that of the claimed invention.

Accordingly, as per claim 1, Carter teaches creating a hierarchical database, wherein data (e.g. purchasing organizations, products, pricing information) stored in the database is represented by members organized in a hierarchical manner, the members including a parent member (e.g. “All Products,” “World”) at the top of the database, the parent member having one or more descendent members like claimed (see e.g. column 7, line 49 – column 6, line 2; FIGS. 4A and 4B, and column 11, lines 45-67). Carter further discloses that the hierarchies maintained by the database are displayed to the user in order to add or update purchasing organizations, products, and pricing information (see e.g. FIG. 6; column 13, lines 16-67; FIG. 9; and column 16, lines 27-52), wherein pricing information associated with members of the hierarchies is propagated down the hierarchies to descendents of the members (see e.g. column 8, lines 15-34; and column 12, lines 15-39). For example, regarding the claimed invention, Carter teaches displaying the parent member (e.g. “All Products” in window 1310 in FIG. 13) and one or more decision attributes associated with the parent member (e.g. “Pricing Type,” “Amount” in FIG. 13), wherein descendant members of the parent member are assigned the decision attributes of the parent member (see e.g. column 17, line 65 – column 18, line 29); displaying the descendent members (e.g. “Hardware,” “Software,” “Support” etc. in window 1310 in FIG. 13) of the parent member (see FIG. 13); selecting one or more of the descendent members (e.g. “Support”)

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and editing a decision attribute (e.g. "Amount") of the selected descendent member; wherein the edited decision attribute is automatically applied to all direct descendents of the selected descendent member (see e.g. column 18, lines 26-49); and displaying a summary view (e.g. window 1410 in FIG. 14) showing an entire hierarchy, which includes the parent member and the selected descendent members having an edited decision attribute, as is claimed. Accordingly, Carter teaches a method like that of claim 1, which is for applying and editing attributes of data stored in a hierarchical database.

As per claims 3 and 4, Carter discloses that a user can select one or more members and edit a decision attribute, for example a tax amount, for products or services represented by the selected members (see e.g. column 17, line 65 – column 18, line 49). Carter further discloses that such a decision attribute could be a percent discount (see e.g. column 9, line 40 – column 10, line 21). Accordingly, Carter teaches that the decision attribute can be a pricing factor of a product or service represented by the database, wherein the pricing factor is a percent discount, a percent markup (e.g. a tax amount), or percent margin, like recited in claims 3 and 4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the U.S.

Patent of Carter, which is described above.

Concerning claim 2, Carter teaches a method like that of claim 1, in which a hierarchy (e.g. a “product group hierarchy”) – that includes a parent member (e.g. “All Products”) and its hierarchical descendent members – is displayed in a window, and wherein the user can select one or more descendent members and edit a decision attribute of the selected descendent members, as is described above.

Carter, however, does not explicitly teach hiding all direct descendent members of the descendent members not selected for editing a decision attribute, as is recited in claim 2. Nevertheless, it is noted that the window displaying the hierarchy, which comprises the direct descendents of members not selected for editing a decision attribute, includes a title bar comprising various window manipulation functions (see e.g. FIG. 14). As known in the art, such window manipulation functions include a function for minimizing or hiding the window and its contents. The Examiner takes OFFICIAL NOTICE of this teaching.

Accordingly, it would have been obvious to one of ordinary skill in the art, having the teachings of Carter before him at the time the invention was made, to modify the window that displays the hierarchies to include within its title bar a window manipulation function for hiding

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the window, like known in the art. It would have been advantageous to one of ordinary skill to utilize this window manipulation function because such a function provides the user more control over the window display, and for example, allows the user to view information covered by the window, as is known in the art. The window of Carter, having such a function within its title bar, thus allows the user to hide the window, and more specifically, allows the user to hide the hierarchies displayed in the window, which include descendents of members not selected for editing a decision attribute, like claimed.

As per claim 5, Carter discloses that a user can select one or more members within a hierarchy (i.e. a “product group hierarchy”) and edit a decision attribute associated with products or services represented by the selected members, as is described above. Carter, however, does not explicitly disclose that such a decision attribute is a source of goods or services, a supplier’s name, or a shipping carrier code, as is recited in claim 5.

However, these differences are only found in nonfunctional descriptive material, and are not functionally involved in the recited method steps. The editing and automatic application of the decision attributes would be performed the same regardless of whether they indicate a source of goods or services, a supplier’s name, or a shipping carrier code. Thus, this descriptive material will not distinguish the claimed invention from Carter in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to associate any type of data (i.e. decision attributes) with the products or

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services represented in the product group hierarchy of Carter because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

btt

1/19/2007


TADESSE HAILU
Patent Examiner